

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DEVORIUS PARKER,

Plaintiff,

v.

WARDEN DENNIS BROWN, et al.,

Defendants.

:
:
:
:
:
:
:
:
:
:
:
:

**Civil Action No.
5:08-CV-222 (CAR)**

**ORDER ON THE REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the Court is the United States Magistrate Judge's Recommendation [Doc. 18] that Defendant's Motion to Dismiss [Doc. 9] be **GRANTED** and that Plaintiff's Motion for Preliminary Injunction [Doc. 15] be **DENIED**. Plaintiff filed the present action, pursuant to 42 U.S.C. § 1983, alleging that the Defendants are repeatedly violating his First and Fourteenth Amendment rights by prohibiting him from growing his hair and beard in accordance with his Rastafarian religious beliefs. Upon consideration of Plaintiff's Complaint, the United States Magistrate Judge concluded that Plaintiff had in fact failed to state a claim upon which relief can be granted. Plaintiff thereafter filed a timely Objection [Doc. 22] to the Recommendation, arguing that the United States Magistrate Judge improperly decided disputed issues of material facts by concluding that the prison's grooming policy was justified as a security measure.

Having considered the matter, this Court agrees with the findings and conclusions of the United States Magistrate Judge and finds Plaintiff's objections to be unpersuasive. The Recommendation of the United States Magistrate Judge is therefore **ADOPTED** and **MADE THE**

ORDER OF THE COURT. The Motion to Dismiss is hereby **GRANTED**, and the Motion for Preliminary Injunction is likewise **DENIED**.

SO ORDERED, this 2nd day of February, 2009.

S/ C. Ashley Royal
C. ASHLEY ROYAL
UNITED STATES DISTRICT JUDGE

jlr